

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Wheeler, John D.		Name of Joint Debtor (Spouse) (Last, First, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): dba Wheeler Construction; dba Wheeler Homes; dba MJL Properties; dba Natural Born Grillers		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):	
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): xxx-xx-2379		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):	
Street Address of Debtor (No. and Street, City, and State): 5598 Pinetree Loop E Southaven, MS		Street Address of Joint Debtor (No. and Street, City, and State):	
ZIP CODE 38672		ZIP CODE	
County of Residence or of the Principal Place of Business: DeSoto		County of Residence or of the Principal Place of Business:	
Mailing Address of Debtor (if different from street address): 5598 Pinetree Loop E Southaven, MS		Mailing Address of Joint Debtor (if different from street address):	
ZIP CODE 38672		ZIP CODE	
Location of Principal Assets of Business Debtor (if different from street address above): Business assets are primarily houses located at addresses given			
ZIP CODE			

Type of Debtor (Form of Organization) (Check one box.) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.) <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <div style="text-align: center;"> Nature of Debts (Check one box.) </div> <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
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Filing Fee (Check one box.) <input checked="" type="checkbox"/> Full Filing Fee attached. <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	Check one box: Chapter 11 Debtors <input type="checkbox"/> Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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Statistical/Administrative Information <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000 Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion										THIS SPACE IS FOR COURT USE ONLY	
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Voluntary Petition

(This page must be completed and filed in every case.)

Document

Name of Debtor(s)

John D. Wheeler

All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)

Location Where Filed:

None

Case Number:

Date Filed:

Location Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet.)

Name of Debtor:

Wheeler Construction LLC

Case Number:

possible filing

Date Filed:

District:

Oxford

Relationship:

member

Judge:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).

X_____

Date

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.☒ No.**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☒ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.**Information Regarding the Debtor - Venue**

(Check any applicable box.)

☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes.)

☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)_____
(Name of landlord that obtained judgment)_____
(Address of landlord)☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Voluntary Petition

(This page must be completed and filed in every case)

Document

Name of Debtor(s)

John D. Wheeler

Signatures**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ John D. Wheeler

John D. Wheeler

X _____

Telephone Number (If not represented by attorney)

10/20/2011

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

Date

Signature of Attorney*

X /s/ Frank M. Hurdle

Frank M. Hurdle

Bar No. **9709**

The Law Office of Frank M. Hurdle

P.O. Box 2777

Oxford, MS 38655

Phone No. **(662) 236-7800** Fax No. **(606) 934-0401**

10/20/2011

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X _____

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

In re: **John D. Wheeler**

Case No. _____
(if known)

Debtor(s)

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- ☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*
- ☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*
- ☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]*

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

In re: **John D. Wheeler**

Case No. _____
(if known)

Debtor(s)

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH
CREDIT COUNSELING REQUIREMENT**

Continuation Sheet No. 1

- ☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*
- ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
- ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
- ☐ Active military duty in a military combat zone.
- ☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ John D. Wheeler
John D. Wheeler

Date: 10/20/2011

In re **John D. Wheeler**

Case No. _____
(if known)

SCHEDULE A - REAL PROPERTY

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or Exemption	Amount Of Secured Claim
Homestead, 5598 Pine Tree Loop, Southaven, MS Debtor's interest as tenant by entirety in homestead at 5598 Pine Tree Loop, Southaven, MS 38672.	Tenancy by Entirety	J	\$220,000.00	\$602,200.46
8489 Scheffield Terrace, Southaven, MS Rental property located at 8489 Scheffield Terrace, Southaven, MS 38671. House is currently rented.	Fee Simple	H	\$170,000.00	\$536,304.65
1789 Crescent Lane, Southaven, MS 38671 Rental at 1789 Crescent Lane, Southaven, MS 38671. Property is occupied.	Fee Simple	H	\$140,000.00	\$492,902.46
Doe Creek, Hernando, MS 38632 Rental at *** Doe Creek, Hernando, MS 38632. Home is occupied.	Fee Simple	H	\$175,000.00	\$499,792.89
2326 Ansley Park Dr., Southaven, MS 38671 Rental at 2326 Ansley Park Dr., Southaven, MS 38671. Home is occupied.	Fee Simple	H	\$170,000.00	\$490,916.32
Lot 320 Fairway Point, Hernando Lot 320 Fairway Point, Hernando. This property is rented under a lease-purchase agreement and occupant is believed ready to close. Debtor will seek permission to complete sale with profits to go to judgment creditors.	Fee Simple	H	\$170,000.00	\$469,273.91

Total: \$1,045,000.00
(Report also on Summary of Schedules)

In re **John D. Wheeler**Case No. _____
(if known)**SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
1. Cash on hand.		Cash on hand	J	\$12.00
2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and home-stead associations, or credit unions, brokerage houses, or cooperatives.		1/2 of funds in Joint checking account with wife at Sycamore Bank, Southaven.	J	\$750.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video and computer equipment.		1 Television	J	\$100.00
		DVD Player	J	\$15.00
		Recliner	J	\$100.00
		Coffee Table	J	\$100.00
		3 End Tables	J	\$100.00
		7 Lamps	J	\$70.00
		Computer	J	\$200.00
		Dinner Table	J	\$200.00
		6 Dining Chairs	J	\$200.00
		Dishwasher	J	\$100.00
		Microwave	J	\$15.00
		Refrigerator	J	\$200.00

In re **John D. Wheeler**Case No. _____
(if known)**SCHEDULE B - PERSONAL PROPERTY**

Continuation Sheet No. 1

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
		Dresser	J	\$200.00
		Armoire	J	\$250.00
		Nightstand	J	\$50.00
		Mirror	J	\$40.00
		Bed	J	\$250.00
		Miscellaneous items of household furniture, with none having a value of more than \$200	J	\$200.00
5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles.		Various books	J	\$40.00
		17 items of reproduction art	J	\$150.00
		20 movies	J	\$40.00
6. Wearing apparel.		Old Clothes and shoes	J	\$50.00
7. Furs and jewelry.		Wedding ring	H	\$150.00
		Man's 12-year-old Rolex watch	H	\$2,200.00
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			

In re **John D. Wheeler**Case No. _____
(if known)**SCHEDULE B - PERSONAL PROPERTY**

Continuation Sheet No. 2

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
10. Annuities. Itemize and name each issuer.	X			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14. Interests in partnerships or joint ventures. Itemize.		Debtor's 50% interest in Wheeler Construction LLC, an insolvent company.	H	\$0.00
		Debtor's 50 percent interest in Natural Born Grillers Catering. The underlying assets of this LLC are believed to be worth approximately \$9,000; however, debtor believes a 50 percent interest to be worth substantially less than 50 percent of that amount.	H	Unknown
		Debtor's one-third interest in MJL Properties LLC, an insolvent entity.	H	\$0.00
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
16. Accounts receivable.	X			

In re **John D. Wheeler**Case No. _____
(if known)**SCHEDULE B - PERSONAL PROPERTY**

Continuation Sheet No. 3

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.		Possible redemption right in Debtor's one-third interest in RWH LLC, a closely held limited liability company. Any purchaser of this interest must be approved by the other members and must personally guarantee all debts of the LLC. Debtor lost his interest within 90 days of filing due to inability to meet a cash call.	H	\$0.00
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		Any unknown overpayment of federal and state withholding; prorata share of tax refund is estimated at approximately \$1,000 based on this year's refund.	H	Unknown
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			

In re **John D. Wheeler**Case No. _____
(if known)**SCHEDULE B - PERSONAL PROPERTY***Continuation Sheet No. 4*

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2006 Honda motorcycle	H	\$3,000.00
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplies used in business.		Self-built Large barbecue grill used by debtor in catering business. This item is difficult to value because of its unusual nature.	H	\$4,000.00
		Self-built hog grill	H	\$2,000.00
30. Inventory.	X			
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			

Case No. _____
(if known)

Continuation Sheet No. 5

5 continuation sheets attached

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

In re **John D. Wheeler**

Case No. _____
(If known)

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:
(Check one box)

- ☐ 11 U.S.C. § 522(b)(2)
☒ 11 U.S.C. § 522(b)(3)

☐ Check if debtor claims a homestead exemption that exceeds \$146,450.*

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Homestead, 5598 Pine Tree Loop, Southaven, MS	Miss. Code Ann. § 85-3-21	\$0.00	\$220,000.00
Debtor's interest as tenant by entirety in homestead at 5598 Pine Tree Loop, Southaven, MS 38672.	11 U.S.C. § 522(b)(3)(B)	\$0.00	
Cash on hand	Miss. Code Ann. § 85-3-1(a)	\$12.00	\$12.00
1/2 of funds in Joint checking account with wife at Sycamore Bank, Southaven.	Miss. Code Ann. § 85-3-1(a)	\$750.00	\$750.00
1 Television	Miss. Code Ann. § 85-3-1(a)	\$100.00	\$100.00
DVD Player	Miss. Code Ann. § 85-3-1(a)	\$15.00	\$15.00
7 Lamps	Miss. Code Ann. § 85-3-1(a)	\$70.00	\$70.00
Computer	Miss. Code Ann. § 85-3-1(a)	\$200.00	\$200.00
Dinner Table	Miss. Code Ann. § 85-3-1(a)	\$200.00	\$200.00
6 Dining Chairs	Miss. Code Ann. § 85-3-1(a)	\$200.00	\$200.00
Dishwasher	Miss. Code Ann. § 85-3-1(a)	\$100.00	\$100.00
Refrigerator	Miss. Code Ann. § 85-3-1(a)	\$200.00	\$200.00
Dresser	Miss. Code Ann. § 85-3-1(a)	\$200.00	\$200.00
Armoire	Miss. Code Ann. § 85-3-1(a)	\$250.00	\$250.00
* Amount subject to adjustment on 4/1/13 and every three years thereafter with respect to cases commenced on or after the date of adjustment.		\$2,297.00	\$222,297.00

In re **John D. Wheeler**

Case No. _____
(If known)

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Continuation Sheet No. 1

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Mirror	Miss. Code Ann. § 85-3-1(a)	\$40.00	\$40.00
Bed	Miss. Code Ann. § 85-3-1(a)	\$250.00	\$250.00
Miscellaneous items of household furniture, with none having a value of more than \$200	Miss. Code Ann. § 85-3-1(a)	\$200.00	\$200.00
Various books	Miss. Code Ann. § 85-3-1(a)	\$40.00	\$40.00
17 items of reproduction art	Miss. Code Ann. § 85-3-1(a)	\$150.00	\$150.00
20 movies	Miss. Code Ann. § 85-3-1(a)	\$40.00	\$40.00
Old Clothes and shoes	Miss. Code Ann. § 85-3-1(a)	\$50.00	\$50.00
Wedding ring	Miss. Code Ann. § 85-3-1(a)	\$150.00	\$150.00
Man's 12-year-old Rolex watch	Miss. Code Ann. § 85-3-1(a)	\$2,200.00	\$2,200.00
Any unknown overpayment of federal and state withholding; prorata share of tax refund is estimated at approximately \$1,000 based on this year's refund.	Miss. Code Ann. § 85-3-1(j)	Unknown	Unknown
	Miss. Code Ann. § 85-3-1(k)	Unknown	
2006 Honda motorcycle	Miss. Code Ann. § 85-3-1(a)	\$3,000.00	\$3,000.00
Self-built Large barbecue grill used by debtor in catering business. This item is difficult to value because of its unusual nature.	Miss. Code Ann. § 85-3-1(a)	100% of FMV	\$4,000.00
Self-built hog grill	Miss. Code Ann. § 85-3-1(a)	100% of FMV	\$2,000.00
		\$10,000.00	\$234,417.00

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCT #:	H		DATE INCURRED: 2-25-2011 NATURE OF LIEN: judgment COLLATERAL: all real property REMARKS:				\$136,345.33	\$74,518.78
BancorpSouth Bank 2910 West Jackson St Tupelo, Ms 38801			VALUE: \$1,045,000.00					
ACCT #:	H		DATE INCURRED: 2-25-2011 NATURE OF LIEN: judgment COLLATERAL: all real property REMARKS:				\$19,413.92	\$19,413.92
BancorpSouth Bank 2910 West Jackson St Tupelo, Ms 38801			VALUE: \$1,045,000.00					
ACCT #:	H		DATE INCURRED: 2-25-2011 NATURE OF LIEN: mortgage COLLATERAL: 8489 Scheffield Terrace, Southaven, MS REMARKS:				\$175,204.19	\$5,204.19
Bankplus 385A Highland Colony Parkway, Suite 11 Ridgeland, MS 39157			VALUE: \$170,000.00					
ACCT #:	H		DATE INCURRED: 2-25-2011 NATURE OF LIEN: mortgage COLLATERAL: Doe Creek, Hernando, MS 38632 REMARKS:				\$146,890.43	
Bankplus 385A Highland Colony Parkway, Suite 11 Ridgeland, MS 39157			VALUE: \$175,000.00					
Subtotal (Total of this Page) >							\$477,853.87	\$99,136.89
Total (Use only on last page) >								

3 continuation sheets attached

(Report also on Summary of Schedules.)
 (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCT #: xxxxxxxx7001	H		DATE INCURRED: NATURE OF LIEN: mortgage COLLATERAL: 2326 Ansley Park Dr., Southaven, MS 38671 REMARKS:				\$166,123.43	
Bankplus 385A Highland Colony Parkway, Suite 11 Ridgeland, MS 39157			VALUE: \$170,000.00					
ACCT #:			DATE INCURRED: NATURE OF LIEN: 2nd mortgage COLLATERAL: real estate REMARKS:					
Bankplus 385A Highland Colony Parkway, Suite 11 Ridgeland, MS 39157	C		DATE INCURRED: NATURE OF LIEN: 2nd mortgage COLLATERAL: real estate REMARKS:				\$45,000.00	\$21,100.00
ACCT #:			VALUE: \$220,000.00					
Bankplus 385A Highland Colony Parkway, Suite 11 Ridgeland, MS 39157			DATE INCURRED: NATURE OF LIEN: mortgage COLLATERAL: Lot 320 Fairway Point, Hernando REMARKS: Debtor has contract to sell this property for more than secured debt and shall seek permission of court to carry out this contract to pay bank in full with balance going to judgment creditors.					
ACCT #:	H		DATE INCURRED: NATURE OF LIEN: mortgage COLLATERAL: Lot 320 Fairway Point, Hernando REMARKS: Debtor has contract to sell this property for more than secured debt and shall seek permission of court to carry out this contract to pay bank in full with balance going to judgment creditors.				\$148,357.59	
Citizens National Bank 6296 Airways Blvd Southaven, MS 38671			VALUE: \$170,000.00					
Sheet no. <u>1</u> of <u>3</u> continuation sheets attached to Schedule of Creditors Holding Secured Claims							\$359,481.02	\$21,100.00
Subtotal (Total of this Page) > Total (Use only on last page) >								

(Report also on Summary of Schedules.)
 (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above.)	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCT #: x2009 Fsb Holly Sp Pob 580 Holly Springs, MS 38635	H	DATE INCURRED: 03/02/2009 NATURE OF LIEN: Real Estate Specific Type Unknown COLLATERAL: real estate REMARKS: Current Account VALUE: \$0.00				\$135,089.00	\$135,089.00
ACCT #: x2979 Fsb Holly Sp Pob 580 Holly Springs, MS 38635	H	DATE INCURRED: 03/31/2010 NATURE OF LIEN: Real Estate Specific Type Unknown COLLATERAL: real estate REMARKS: Current Account VALUE: \$140,000.00				\$131,802.00	
ACCT #: xx3593 Fst Secur Bk 295 Hwy 6 West Batesville, MS 38606	H	DATE INCURRED: 02/24/2009 NATURE OF LIEN: Installment Sales Contract COLLATERAL: real estate REMARKS: Current Account VALUE: \$0.00				\$210,667.00	\$210,667.00
ACCT #: H.W. Jenkins Company 4155 Pidgeon Roost Road Memphis, TN 38118-6900	H	DATE INCURRED: NATURE OF LIEN: judgment COLLATERAL: all real estate REMARKS: VALUE: \$1,045,000.00				\$178,948.51	\$178,948.51
Subtotal (Total of this Page) > Total (Use only on last page) >						\$656,506.51	\$524,704.51

Sheet no. 2 of 3 continuation sheets attached to Schedule of Creditors Holding Secured Claims

(Report also on Summary of Schedules.)
 (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above.)	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCT #:	H	DATE INCURRED:				\$26,392.70	\$26,392.70
Hernando Lumber & Millwork 225 E. Center Street Hernando, MS 38632		NATURE OF LIEN: judgment COLLATERAL: all real property REMARKS:					
		VALUE: \$1,045,000.00					
ACCT #: xxxxxx0001	C	DATE INCURRED: 04/17/2009				\$196,100.00	
Renasant Bank 209 Troy St Tupelo, MS 38801		NATURE OF LIEN: Secured COLLATERAL: real estate REMARKS: Current Account					
		VALUE: \$220,000.00					
Subtotal (Total of this Page) >						\$222,492.70	\$26,392.70
Total (Use only on last page) >						\$1,716,334.10	\$671,334.10

Sheet no. 3 of 3 continuation sheets attached to Schedule of Creditors Holding Secured Claims

(Report also on Summary of Schedules.)
(If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)

☐ **Domestic Support Obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,775* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**

Claims of individuals up to \$2,600* for deposits for the purchase, lease or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Claims for Death or Personal Injury While Debtor Was Intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

☐ **Administrative allowances under 11 U.S.C. Sec. 330**

Claims based on services rendered by the trustee, examiner, professional person, or attorney and by any paraprofessional person employed by such person as approved by the court and/or in accordance with 11 U.S.C. §§ 326, 328, 329 and 330.

** Amounts are subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.*

 No continuation sheets attached

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCT #: xxxxxxxx2709 Ally Financial 200 Renaissance Ctr Detroit, MI 48243	C	DATE INCURRED: 06/2005 CONSIDERATION: Automobile REMARKS: Current Account				\$11.00
ACCT #: xx6652 Arco Coll Sv 5705 Stage Road Bartlett, TN 38134	H	DATE INCURRED: CONSIDERATION: Collecting for - Hernando Lumber & Mill Work REMARKS: Collection				\$26,236.00
ACCT #: BancorpSouth Bank 2910 West Jackson St Tupelo, Ms 38801	H	DATE INCURRED: CONSIDERATION: Loan REMARKS: Personal guarantees for loans made to RWH Properties LLC and possibly other entities.				Unknown
ACCT #: Bank of Bartlett 6281 Stage Road Bartlett, TN 38134	H	DATE INCURRED: CONSIDERATION: loan REMARKS: Personal guarantee of loans made to various LLC or other business interests.				Unknown
ACCT #: Bankplus 385A Highland Colony Parkway, Suite 110 Ridgeland, MS 39157	H	DATE INCURRED: CONSIDERATION: Loan REMARKS: Various loan guarantees made for the benefit of various LLC or other business interests				Unknown
ACCT #: xxxxxxxxxxxx5108 Chase Po Box 15298 Wilmington, DE 19850	H	DATE INCURRED: 07/2001 CONSIDERATION: Credit Card REMARKS: Collection Account Closed By Grantor				\$9,356.00

Subtotal >

\$35,603.00

Total >

(Use only on last page of the completed Schedule F.)
 (Report also on Summary of Schedules and, if applicable, on the
 Statistical Summary of Certain Liabilities and Related Data.)

2 continuation sheets attached

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCT #: xxxxxxxxxxxx0195	H	DATE INCURRED: 07/01/1992 CONSIDERATION: Credit Card REMARKS: Account Closed By Grantor				\$5,968.00
Chase P.o. Box 15298 Wilmington, DE 19850						
ACCT #: xxxxxxxxxxxx5856	H	DATE INCURRED: 10/1989 CONSIDERATION: Credit Card REMARKS: Current Account Account Closed				\$7,171.00
Citibank Sd, Na Attn: Centralized Bankruptcy PO Box 20507 Kansas City, MO 64195						
ACCT #:	H	DATE INCURRED: CONSIDERATION: Loan REMARKS: Personal Loan guarantees made for the benefit of various LLC or other business interests.				Unknown
Citizens National Bank 6296 Airways Blvd Southaven, MS 38671						
ACCT #:	H	DATE INCURRED: CONSIDERATION: loan REMARKS: Personal guarantees of loans made to Wheeler Constructions LLC and possibly other business entities.				Unknown
Community Bank, North Mississippi 475 East Commerce St. Hernando, MS 38632						
ACCT #:	H	DATE INCURRED: CONSIDERATION: Loan REMARKS: Personal Loan guarantees made for the benefit of various LLC or other business interests.				Unknown
DeSoto Bank 6040 Hwy 51 N Horn Lake, MS 38637						
ACCT #:	H	DATE INCURRED: CONSIDERATION: Loan REMARKS: Citizens National Bank 6296 Airways Blvd Southaven, MS 38671				Unknown
First Security Bank P.O. Box 690 Batesville, MS 38606-0690						

Sheet no. 1 of 2 continuation sheets attached to
 Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal >

\$13,139.00

Total >

(Use only on last page of the completed Schedule F.)
 (Report also on Summary of Schedules and, if applicable, on the
 Statistical Summary of Certain Liabilities and Related Data.)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCT #: First State Bank P.O. Box 580 Holly Springs, MS 38635	H	DATE INCURRED: CONSIDERATION: Loan REMARKS: Personal loan guarantees made for the benefit of various LLC and other business entities.				Unknown
ACCT #: Jerry and Terry Gowan c/o Bob Leigh and Assoc. 6900 Cobblestone Blvd. Southaven, MS 38672	H	DATE INCURRED: CONSIDERATION: Contract REMARKS: Contract for purchase and sale of Lot 320 Fairway Point, Hernando. Debtor intends to seek permission of court to complete sale				Unknown
		as there is no equity in home.				
ACCT #: Renasant Bank P.O. Box 4140 Tupelo, MS 38803-4140	H	DATE INCURRED: CONSIDERATION: Loan REMARKS: Personal loan guarantees made for the benefit of various LLC and business interests				Unknown
ACCT #: xxxxxxxxxxxx2886 Sams Club Attention: Bankruptcy Department PO box 103104 Roswell, GA 30076	H	DATE INCURRED: 04/2002 CONSIDERATION: Charge Account REMARKS: Current Account				\$1,503.00
ACCT #: Wheeler Homes LLC P.O. Box 150 Southaven, MS 38671	H	DATE INCURRED: CONSIDERATION: Contract REMARKS: Home executory contract requiring debtor to do repairs on house at Lot 320 Fairway Point, Hernando on a cost plus 15 percent basis.	X			Unknown

Sheet no. 2 of 2 continuation sheets attached to
Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > **\$1,503.00**

Total > **\$50,245.00**

(Use only on last page of the completed Schedule F.)
(Report also on Summary of Schedules and, if applicable, on the
Statistical Summary of Certain Liabilities and Related Data.)

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases of contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
<p>Jerry and Terry Gowan c/o Bob Leigh and Assoc. 6900 Cobblestone Blvd. Southaven, MS 38672</p> <p>Wheeler Homes LLC P.O. Box 150 Southaven, MS 38671</p>	<p>Contract so sell home located at 320 Fairway Point. After payment to secured and judgment creditors there is no equity. Contract to be ASSUMED</p> <p>Debtor has agreed to do repairs on home located at 320 Fairway Point, Hernando, on a cost plus 15 percent basis as a condition of the sale of house. Wheeler Homes LLC is owned by debtor's wife. Contract to be ASSUMED</p>

SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Wheeler, Carmen 5598 Pinetree Loop E Southaven, MS 38672	
Wheeler, Carmen 5598 Pinetree Loop E Southaven, MS 38672	Ally Financial 200 Renaissance Ctr Detroit, MI 48243
Wheeler, Carmen 5598 Pinetree Loop E Southaven, MS 38672	Bankplus 385A Highland Colony Parkway, Suite 110 Ridgeland, MS 39157
Wheeler, Carmen 5598 Pinetree Loop E Southaven, MS 38672	Renasant Bank 209 Troy St Tupelo, MS 38801

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

In re **John D. Wheeler**

Case No.

Chapter **7**

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER	
A - Real Property	Yes	1	\$1,045,000.00			
B - Personal Property	Yes	6	\$14,782.00			
C - Property Claimed as Exempt	Yes	2				
D - Creditors Holding Secured Claims	Yes	4				\$1,716,334.10
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1				\$0.00
F - Creditors Holding Unsecured Nonpriority Claims	Yes	3				\$50,245.00
G - Executory Contracts and Unexpired Leases	Yes	1				
H - Codebtors	Yes	1				
I - Current Income of Individual Debtor(s)	No	1				
J - Current Expenditures of Individual Debtor(s)	No	1				
TOTAL		21	\$1,059,782.00	\$1,766,579.10		

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

In re **John D. Wheeler**

Case No.

Chapter **7**

STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11, or 13, you must report all information requested below.

☒ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	
Student Loan Obligations (from Schedule F)	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	
TOTAL	

State the following:

Average Income (from Schedule I, Line 16)	
Average Expenses (from Schedule J, Line 18)	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	

State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.		
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		
4. Total from Schedule F		
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 21 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date 10/20/2011

Signature /s/ John D. Wheeler
John D. Wheeler

Date _____

Signature _____

[If joint case, both spouses must sign.]

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IN RE: **John D. Wheeler**

CASE NO

CHAPTER **7**

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

PART A -- Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 1	
Creditor's Name: BancorpSouth Bank 2910 West Jackson St Tupelo, Ms 38801	Describe Property Securing Debt: all real property
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

Property No. 2	
Creditor's Name: BancorpSouth Bank 2910 West Jackson St Tupelo, Ms 38801	Describe Property Securing Debt: all real property
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IN RE: **John D. Wheeler**

CASE NO

CHAPTER **7**

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

Continuation Sheet No. 1

Property No. 3	
Creditor's Name: Bankplus 385A Highland Colony Parkway, Suite 110 Ridgeland, MS 39157	Describe Property Securing Debt: 8489 Scheffield Terrace, Southaven, MS
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

Property No. 4	
Creditor's Name: Bankplus 385A Highland Colony Parkway, Suite 110 Ridgeland, MS 39157	Describe Property Securing Debt: Doe Creek, Hernando, MS 38632
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IN RE: **John D. Wheeler**

CASE NO

CHAPTER **7**

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

Continuation Sheet No. 2

Property No. 5	
Creditor's Name: Bankplus 385A Highland Colony Parkway, Suite 110 Ridgeland, MS 39157 xxxxxxxx7001	Describe Property Securing Debt: 2326 Ansley Park Dr., Southaven, MS 38671
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

Property No. 6	
Creditor's Name: Bankplus 385A Highland Colony Parkway, Suite 110 Ridgeland, MS 39157	Describe Property Securing Debt: real estate
Property will be (check one): <input type="checkbox"/> Surrendered <input checked="" type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input checked="" type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IN RE: **John D. Wheeler**

CASE NO

CHAPTER **7**

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

Continuation Sheet No. 3

Property No. 7	
Creditor's Name: Citizens National Bank 6296 Airways Blvd Southaven, MS 38671	Describe Property Securing Debt: Lot 320 Fairway Point, Hernando
Property will be (check one): <input type="checkbox"/> Surrendered <input checked="" type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input checked="" type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Debtor will continue making payments to creditor without reaffirming. Property is under contract, and debtor will seek permission to sell property and pay secured debt and judgment creditor.	
Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

Property No. 8	
Creditor's Name: Fsb Holly Sp Pob 580 Holly Springs, MS 38635 x2009	Describe Property Securing Debt: real estate
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IN RE: **John D. Wheeler**

CASE NO

CHAPTER **7**

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

Continuation Sheet No. 4

Property No. 9	
Creditor's Name: Fsb Holly Sp Pob 580 Holly Springs, MS 38635 x2979	Describe Property Securing Debt: real estate
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

Property No. 10	
Creditor's Name: Fst Secur Bk 295 Hwy 6 West Batesville, MS 38606 xx3593	Describe Property Securing Debt: real estate
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IN RE: **John D. Wheeler**

CASE NO

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CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

Continuation Sheet No. 5

Property No. 11	
Creditor's Name: H.W. Jenkins Company 4155 Pidgeon Roost Road Memphis, TN 38118-6900	Describe Property Securing Debt: all real estate
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

Property No. 12	
Creditor's Name: Hernando Lumber & Millwork 225 E. Center Street Hernando, MS 38632	Describe Property Securing Debt: all real property
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IN RE: **John D. Wheeler**

CASE NO

CHAPTER **7**

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

Continuation Sheet No. 6

Property No. 13	
Creditor's Name: Jerry and Terry Gowan c/o Bob Leigh and Assoc. 6900 Cobblestone Blvd. Southaven, MS 38672	Describe Property Securing Debt: Contract
Property will be (check one): <input type="checkbox"/> Surrendered <input checked="" type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input checked="" type="checkbox"/> Reaffirm the debt <input checked="" type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Executory contract	
Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

Property No. 14	
Creditor's Name: Renasant Bank 209 Troy St Tupelo, MS 38801 xxxxxx0001	Describe Property Securing Debt: real estate
Property will be (check one): <input type="checkbox"/> Surrendered <input checked="" type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input checked="" type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)):	
Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IN RE: **John D. Wheeler**

CASE NO

CHAPTER **7**

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

Continuation Sheet No. 7

Property No. 15	
Creditor's Name: Wheeler Homes LLC P.O. Box 150 Southaven, MS 38671	Describe Property Securing Debt: Contract
Property will be (check one): <input type="checkbox"/> Surrendered <input checked="" type="checkbox"/> Retained If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input checked="" type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)): Property is (check one): <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt	

PART B -- Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.)

Property No. 1		
Lessor's Name: Jerry and Terry Gowan c/o Bob Leigh and Assoc. 6900 Cobblestone Blvd. Southaven, MS 38672	Describe Leased Property: Contract so sell home located at 320 Fairway Point. After payment to secured and judgment creditors there is no equity.	Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2): YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Property No. 2		
Lessor's Name: Wheeler Homes LLC P.O. Box 150 Southaven, MS 38671	Describe Leased Property: Debtor has agreed to do repairs on home located at 320 Fairway Point, Hernando, on a cost plus 15 percent basis as a condition of the sale of house. Wheeler Homes LLC is owned by debtor's wife.	Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2): YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IN RE: **John D. Wheeler**

CASE NO

CHAPTER **7**

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

Continuation Sheet No. 8

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

Date 10/20/2011

Signature /s/ John D. Wheeler
John D. Wheeler

Date _____

Signature _____

In re **John D. Wheeler**

Case No. _____

Chapter 7

**CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S)
UNDER § 342(b) OF THE BANKRUPTCY CODE**

Certification of the Debtor

I (We), the debtor(s), affirm that I (we) have received and read the attached notice, as required by § 342(b) of the Bankruptcy Code.

John D. Wheeler _____

X /s/ John D. Wheeler

10/20/2011

Printed Name(s) of Debtor(s)

Signature of Debtor

Date

Case No. (if known) _____

X _____

Signature of Joint Debtor (if any)

Date

Certificate of Compliance with § 342(b) of the Bankruptcy Code

I, **Frank M. Hurdle**, counsel for Debtor(s), hereby certify that I delivered to the Debtor(s) the Notice required by § 342(b) of the Bankruptcy Code.

/s/ Frank M. Hurdle

Frank M. Hurdle, Attorney for Debtor(s)

Bar No.: 9709

The Law Office of Frank M. Hurdle

P.O. Box 2777

Oxford, MS 38655

Phone: (662) 236-7800

Fax: (606) 934-0401

E-Mail: frankhurdle@hurdlelaw.com

Instructions: Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) ONLY if the certification has NOT been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

WARNING: Effective December 1, 2009, the 15-day deadline to file schedules and certain other documents under Bankruptcy Rule 1007(c) is shortened to 14 days. For further information, see note at bottom of page 2.

UNITED STATES BANKRUPTCY COURT

NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a JOINT CASE (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days BEFORE the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income
(\$235 filing fee, \$39 administrative fee: Total fee \$274)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure.

Many filing deadlines change on December 1, 2009. Of special note, 12 rules that set 15 days to act are amended to require action within 14 days, including Rule 1007(c), filing the initial case papers; Rule 3015(b), filing a chapter 13 plan; Rule 8009(a), filing appellate briefs; and Rules 1019, 1020, 2015, 2015.1, 2016, 4001, 4002, 6004, and 6007.

IN RE: **John D. Wheeler**

CASE NO

CHAPTER 7

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept:	<u>\$1,200.00</u>
Prior to the filing of this statement I have received:	<u>\$1,200.00</u>
Balance Due:	<u>\$0.00</u>

2. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
 - Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

Adversary proceedings, motions and court hearings

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

10/20/2011

Date

/s/ Frank M. Hurdle

Frank M. Hurdle
The Law Office of Frank M. Hurdle
P.O. Box 2777
Oxford, MS 38655
Phone: (662) 236-7800 / Fax: (606) 934-0401

Bar No. 9709

/s/ John D. Wheeler

John D. Wheeler

IN RE: **John D. Wheeler**

CASE NO

CHAPTER **7**

VERIFICATION OF CREDITOR MATRIX

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 10/20/2011

Signature /s/ John D. Wheeler
John D. Wheeler

Date _____

Signature _____

Ally Financial
200 Renaissance Ctr
Detroit, MI 48243

Arco Coll Sv
5705 Stage Road
Bartlett, TN 38134

BancorpSouth Bank
2910 West Jackson St
Tupelo, Ms 38801

Bank of Bartlett
6281 Stage Road
Bartlett, TN 38134

Bankplus
385A Highland Colony Parkway, Suite 110
Ridgeland, MS 39157

Carmen Wheeler
5598 Pinetree Loop E
Southaven, MS 38672

Chase
Po Box 15298
Wilmington, DE 19850

Chase
P.O. Box 15298
Wilmington, DE 19850

Citibank Sd, Na
Attn: Centralized Bankruptcy
PO Box 20507
Kansas City, MO 64195

Citizens National Bank
6296 Airways Blvd
Southaven, MS 38671

Community Bank, North Mississippi
475 East Commerce St.
Hernando, MS 38632

DeSoto Bank
6040 Hwy 51 N
Horn Lake, MS 38637

First Security Bank
P.O. Box 690
Batesville, MS 38606-0690

First State Bank
P.O. Box 580
Holly Springs, MS 38635

Fsb Holly Sp
Pob 580
Holly Springs, MS 38635

Fst Secur Bk
295 Hwy 6 West
Batesville, MS 38606

H.W. Jenkins Company
4155 Pidgeon Roost Road
Memphis, TN 38118-6900

Hernando Lumber & Millwork
225 E. Center Street
Hernando, MS 38632

Jerry and Terry Gowan
c/o Bob Leigh and Assoc.
6900 Cobblestone Blvd.
Southaven, MS 38672

Renasant Bank
209 Troy St
Tupelo, MS 38801

Renasant Bank
P.O. Box 4140
Tupelo, MS 38803-4140

Sams Club
Attention: Bankruptcy Department
PO box 103104
Roswell, GA 30076

Wheeler Homes LLC
P.O. Box 150
Southaven, MS 38671

Wheeler Homes LLC
P.O. Box 150
Southaven, MS 38671